Bagdasarian, Gary G. (for Chris Wade – Successor Conservator)
Probate Status Hearing Re: Filing Second Account

	CHRIS WADE, brother, was appointed	NE	EDS/PROBLEMS/COMMENTS:
	Successor Conservator on 9-19-11. The Successor Conservator's First Account was settled on 3-14-13. On that	1.	Need Second and Final Account of Successor Conservator.
Aff.Sub.Wit.	date, the Court set this status hearing for the filing of the Second Account.	2.	The trust created by substituted judgment is subject to continuing jurisdiction. Therefore, the trust must be filed into its own case
Verified	9		pursuant to Local Rule 7.1.2.
Inventory	Note: On 2-25-14, the Court granted the		- Need filing fee \$435.00 to create new case.
PTC	Successor Conservator's Petition for Substituted Judgment and the Order for		Also, the Court will set status hearings for
Not.Cred.	Substituted Judgment to Transfer Assets		applicable events in that case as follows:
Notice of Hrg	to Revocable Living Trust was signed. The		- Friday 4-25-14 for filing new trust case
Aff.Mail	order authorized Chris Wade as		- Friday 7-24-15 for filing first account in new trust case
Aff.Pub.	Conservator to execute the Ron C.		
Sp.Ntc.	Wade Revocable Living Trust and transfer the assets of the conservatorship estate		
Pers.Serv.	to the trust, which is subject to continuing		
Conf. Screen	jurisdiction.		
Letters			
Duties/Supp			
Objections			
Video			
Receipt			
CI Report			
9202			
Order		Des	dayyad burgiya
Aff. Posting			viewed by: skc viewed on: 3-18-14
Status Rpt UCCJEA			dates:
Citation			commendation:
FTB Notice			1 - Wade

Durost, Linda K. (for Kimiko Small – Executor)

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

Executor with full IAEA and without bond on 08/08/05. Letters Testamentary were issued on 08/02/05. Cont. from 022114 Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of Status Hearing filed 11/22/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to attomey Linda Durost and Kimiko Small on 11/22/13. Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9200 Order Aff. Posting Status Rpt UCCJEA Citation File Notice Cont. Notice of Status Hearing was mailed to attomey Linda Durost and Kimiko Small on 11/22/13. Reviewed by: JF Reviewed on: 03/19/14 Updates: Recommendation: File Notice	DOD: 05/01/05	KIMIKO SMALL, daughter, was appointed	NEEDS/PROBLEMS/COMMENTS:
cont. from 022114 Aff.Sub.Wit. \$240,500.00 Verified Notice of Status Hearing filed 11/22/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. Notice of Notice of Hrg Aff.Natil Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA Citation			
Cont. from 022114		08/08/05. Letters Testamentary were issued	
Cont. from 022114 Aff. Sub. Wit. \$240,500.00 \$240,		on 08/02/05.	
Aff. Sub. Wit. Verified Inventory PTC Not. Cred. Notice of Status Hearing filed 11/22/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to attorney Linda Durost and Kimiko Small on 11/22/13. Aff. Pub. Sp. Ntc. Pers. Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA Citation	Card frame 000114	-	filed in this matter.
Verified Inventory Notice of Status Hearing filed 11/22/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution.		inveniery & Applaisal, in all lies 30/04/19	
Inventory Notice of Status Hearing filed 11/22/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. Notice of Hrg		- \$240,500.00	
Invertiory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 99202 Order Aff. Posting Status Rpt UCCJEA Citation matter for status regarding failure to file a First Account or Petition for Final Distribution. Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to attomey Linda Durost and Kimiko Small on 111/22/13. Reviewed by: JF Reviewed by: JF Reviewed on: 03/19/14 Updates: Recommendation:		Notice of Status Hearing filed 11/22/13 set this	Tilla Distriction.
Not.Cred. Notice of Hrg Account or Petition for Final Distribution. Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to attorney Linda Durost and Kimiko Small on 11/22/13. Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA Citation Account or Petition for Final Distribution. Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to attorney Linda Durost and Kimiko Small on 11/22/13. Reviewed to status Rpt Reviewed by: JF Reviewed on: 03/19/14 Updates: Recommendation:			
Notice of Hrg Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to attorney Linda Durost and Kimiko Small on 11/22/13. Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA Citation Recommendation:	PTC		
Notice of Hrg	Not.Cred.	Clerk's Certificate of Mailing indicates that	
Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA Citation 11/22/13.	Notice of		
Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA Citation Reviewed on: 03/19/14 Updates: Recommendation:	Hrg	attorney Linda Durost and Kimiko Small on	
Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA Citation Reviewed on: 03/19/14 Updates: Recommendation:	Aff.Mail	11/22/13.	
Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA Citation Reviewed by: JF Reviewed on: 03/19/14 UCCJEA Recommendation:	Aff.Pub.		
Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA UCCJEA Citation Reviewed by: JF Reviewed on: 03/19/14 UCCJEA Recommendation:	Sp.Ntc.		
Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA UCCJEA Citation Reviewed by: JF Reviewed on: 03/19/14 Updates: Recommendation:	Pers.Serv.		
Letters Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA UCCJEA Updates: Recommendation:	Conf.		
Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA UCCJEA Uither Citation Reviewed by: JF Reviewed on: 03/19/14 Updates: Recommendation:	Screen		
Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA UCCJEA Citation Video Reviewed by: JF Reviewed on: 03/19/14 Updates: Recommendation:	Letters		
Video Receipt CI Report 9202 Order Aff. Posting Reviewed by: JF Reviewed on: 03/19/14 UCCJEA UCCJEA Updates: Recommendation:	Duties/Supp		
Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA UCCJEA Uiccjea Citation Reviewed by: JF Reviewed on: 03/19/14 Updates: Recommendation:	Objections		
CI Report 9202 Order Aff. Posting Status Rpt UCCJEA UCCJEA Uiccommendation: Reviewed by: JF Reviewed on: 03/19/14 Updates: Recommendation:	Video		
9202 Order Aff. Posting Reviewed by: JF Status Rpt UCCJEA UCCJEA Updates: Recommendation:	Receipt		
Order Aff. Posting Reviewed by: JF Reviewed on: 03/19/14 UCCJEA Updates: Citation Recommendation:	CI Report		
Aff. Posting Status Rpt UCCJEA Citation Reviewed by: JF Reviewed on: 03/19/14 Updates: Recommendation:			
Status Rpt UCCJEA Updates: Citation Reviewed on: 03/19/14 Updates: Recommendation:	Order		
UCCJEA Updates: Citation Recommendation:	Aff. Posting		Reviewed by: JF
Citation Recommendation:	Status Rpt		Reviewed on: 03/19/14
	UCCJEA		Updates:
FTB Notice File 2 – Myers			
<u> </u>	FTB Notice		File 2 – Myers

3A In the Matter of the Verni Family Trust

Case No. 10CEPR00639

- Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)
- Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nicola" Verni, son)
- Atty Phillips, John, of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)
- Atty Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Status Hearing

Status Hearing			
Leonarda DOD: 7/31/2000	CARMELA DeSANTIS, daughter and Trust Beneficiary, filed the following pleadings in this matter:	NEEDS/PROBLEMS/COMMENTS:	
Saverio DOD: 5/25/2009	 Petition to Remove Trustees; Appoint Receiver; Surcharge Trustees; Deny Trustees Compensation; Impose Constructive Trust on Assets; and Cause 	Page 3B is the Petition to Remove Trustees, etc. Page 3C is the Petition to Construe Trust	
Cont. from	Proceedings to Trace and Recover Assets on	Provision.	
Aff.Sub.Wit.	7/26/2012.		
Verified	 Amended Objections to First Account Current of Trustee, and Objections to Second Account 	Page 3D is the Petition to Establish Claim	
Inventory	Current of Trustee on 7/26/2012.	of Ownership in Favor of Trust to Property, etc.	
PTC	Petition to Construe Trust Provision on 7/26/2012.	Cic.	
Status Rep.	Petition to Establish Claim of Ownership, in Favor of	<u>Page 3E</u> is the Petition for Review of	
Notice of Hrg	Trust, to Property and for Order Directing its Transfer	Accounts and Acts of Trustees.	
Aff.Mail	to the Trustees to Hold in Trust on 8/14/2012.		
Aff.Pub.	NICOLA "NICK" VERNI, son and Successor Trustee of		
Sp.Ntc.	the SURVIVOR'S TRUST, and ANTONIETTA "ROSA" VERNI,		
Pers.Serv.	daughter and Trustee of the MERGED FAMILY SUB-		
Conf. Screen	 TRUST, filed the following pleadings in this matter: Response to Petition to Remove Trustees, etc. on 		
Letters	9/27/2012.		
Duties/Supp	Response to Petition to Construe Trust Provision on		
Objections	9/27/2012.		
Video Receipt	Response to Petition to Establish Claim of		
CI Report	Ownership on 9/27/2012.		
9202	Court Trial Minutes - 2 nd Day dated 1/27/2014 directed		
Order	counsel to submit a list setting forth the depositions they		
Aff. Posting	wish the Court to review and consider, including	Reviewed by: LEG	
Status Rpt	objections thereto, and counsel is to submit their closing briefs [by the dates indicated, which were	Reviewed on: 3/18/14	
UCCJEA	subsequently changed to later dates (now passed) by	Updates:	
Citation	filed stipulation and signed order.] Court set this Status	Recommendation:	
FTB Notice	Hearing on 3/21/2014.	File 3A – Verni	
	<u> </u>	3/	

3A

In the Matter of the Verni Family Trust (Trust)
 Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)
 Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)
 Atty Armo, Lance, sole practitioner (for Leonard "Dino" Verni, son)
 Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Petition to: (1) Remove Trustees; (2) Appoint Receiver; (3) Surcharge Trustees; (4) Deny Trustees Compensation; (5) Impose Constructive Trust on Assets; and (6) Cause Proceedings to Trace and Recover Assets [Prob. C. 15642, 16420 & 17200]

Leonarda DOD:	CARMELA DeSANTIS, daughter and Trust Beneficiary, is Petitioner.	NEEDS/PROBLEMS/
7/31/2000	Petitioner states:	COMMENTS:
Saverio DOD: 5/25/2009	The VERNI FAMILY TRUST of 1999 was created by SAVERIO VERNI and	
	LEONARDA VERNI on 6/10/1999, and was amended once by Settlors on	Continued from
	the following day, 6/11/1999; Leonarda died on 7/31/2000, thereby	1/27/2014. Minute
Cont. from 091112, 100212,	causing the Trust to be divided into three sub-trusts: the VERNI MARITAL	Order states Order
120512, 010313, 022113, 032213,	TRUST, the VERNI FAMILY TRUST, (which was amended once during both	Appointing Court
052413, 062113, 062813, 083013, 092713, 103013, 120613, 012714	Trustors' lifetimes), and the VERNI SURVIVOR'S TRUST (copies of Trusts	Approved
Aff.Sub.W	attached as Exhibit A); following Leonarda's death, Saverio amended the SURVIVOR'S TRUST seven times, with the Eighth Amendment (the final)	Reporter as Official
✓ Verified	amending the SURVIVOR'S TRUST in its entirety;	Reporter Pro
Inventory	Saverio served as sole trustee of the three sub-trusts until his death on	Tempore is signed
PTC	5/25/2009, and upon his death the Marital Sub-Trust terminated and its	by the Court.
Not.Cred.	principal was added to the Family sub-trust, which became the MERGED	
Notice of X	FAMILY SUB-TRUST;	Note: Additional
Hrg	Pursuant to the Trust terms, ANTONIETTA ROSA VERNI , daughter, is first	notes pages
Aff.Mail	appointed and currently serves as Successor Trustee of the Merged Family	originally prepared
Aff.Pub.	Sub-Trust; pursuant to the Eighth Amendment to Trust, NICOLA VERNI , son, is	with respect to this
	first appointed and currently serves as Successor Trustee of the SURVIVOR'S	petition have
Sp.Ntc.	TRUST;	been omitted.
✓ Pers.Serv.	The beneficiaries of each of the Sub-Trusts are the Settlor's five children:	
Conf.	ANTONIETTA ROSA VERNI (Rosa), NICOLA VERNI (Nick), LEONARD VERNI	
Screen	(Dino), MARIA STANZIALE, and CARMELA DeSANTIS (Petitioner); and specific distributions from the Survivor's Sub-Trust are to ERLINDA	
Letters	MARCIANO VERNI (\$200,000.00) and ST. ANTHONY OF PADUA CATHOLIC	
Duties/S	CHURCH (\$200,000.00);	
Objection	Following the death of Saverio and Leonarda, the Merged Family Sub-Trust	
Video	names Rosa as First Successor Appointee, and Maria as Second Successor	
Receipt	Appointee; Eighth Amendment provides that upon Saverio's ceasing to	
CI Report	act as trustee, Nick will serve as trustee of the Survivor's Sub-Trust;	
9202	Petitioner seeks a Court order pursuant to Probate Code § 15642 removing	
✓ Order	Rosa as trustee of the Merged Family Sub-Trust, and removing Nick as	
Aff. Post	trustee of the Survivor's Sub-Trust; Petitioner also seeks a determination by the Court that Dino is not qualified to serve as next successor trustee of the	Reviewed by: LEG
Status Rpt	Survivor's Sub-Trust.	Reviewed on:
	55111751 5 555 11001.	3/18/14
UCCJEA		Updates:
Citation		Recommendation
FTB Notice		File 3B - Verni

In the Matter of the Verni Family Trust (Trust)
 Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)
 Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)
 Atty Phillips, John, of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)

Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Atty

Leo	narda DOD:	CARMELA DeSANTIS, daughter and Trust Beneficiary, is Petitioner.	NEEDS/PROBLEMS/
	1/2000	Petitioner states:	COMMENTS:
Sav	erio DOD:	The VERNI FAMILY TRUST of 1999 was created by SAVERIO VERNI and	
5/2	5/2009	LEONARDA VERNI on 6/10/1999, and was amended once by Settlors on	Continued from
		the following day, 6/11/1999; Leonarda died on 7/31/2000, thereby	1/27/2014. Minute
Cor	nt. from 100212,	causing the Trust to be divided into three sub-trusts: the VERNI MARITAL	Order states Order
	512, 010313,	TRUST, the VERNI FAMILY TRUST, (which was amended once during both	Appointing Court
	113, 032213, 413, 062113,	Trustors' lifetimes), and the VERNI SURVIVOR'S TRUST (copies of Trusts	Approved Reporter as
	813, 083013,	 attached as Exhibit A); The instant petition relates to a provision contained in the SURVIVOR'S 	Official Reporter Pro
	713, 103013,	SUB-TRUST; over Petitioner's objections, Trustees Nick and Rosa have	Tempore is signed by
120	613, 012714	provided a commingled accounting for the Merged Family and	the Court.
	Aff.Sub.W	Survivor's Sub-Trusts, which fails to segregate each Sub-Trust's assets,	
✓	Verified	liabilities, receipts and disbursements;	Note: Additional notes
	Inventory	The failure to appropriately segregate assets, liabilities, receipts and	pages originally
	PTC	disbursements among the Sub-Trusts prevents the Court, trustee and	prepared with respect
		beneficiaries from determining the size and holdings of the SURVIVOR'S	to this petition have
	Not.Cred.	SUB-TRUST; because the SURVIVOR'S SUB-TRUST will be used to fund the	been omitted.
	Notice of	above-referenced equalization provision, any appropriate increase in	
	Hrg	size to that particular Sub-Trust will allow greater realization of the Trustor's intent and will provide a means for effectuating the equalization of prior	
	Aff.Mail	distributions; conversely, any inappropriate decrease in the size of the	
	Aff.Pub.	SURVIVOR'S SUB-TRUST will undermine the Trustor's intent and deny the	
	Sp.Ntc.	Trustee the ability to effectuate an equalization;	
✓	Pers.Serv.	The Trustee of the SURVIVOR'S SUB-TRUST believes that distributions made	
	Conf.	during Saverio's lifetime should <u>not</u> be considered for purposes of the	
	Screen	equalization process; Petitioner believes this to be contrary to the	
	Letters	language of the provision and intent of the Trustor.	
	Duties/S	1	
	Objectn	Petitioner requests a judicial declaration from the Court concerning the	
	Video	proper construction of Subsection1, of Section B, or Article IV of the SURVIVOR'S SUB-TRUST (refer to copy of Trust or Paragraph 11 of Petition for	
	Receipt	exact language requiring apportionment of the residue of the trust estate	
	CI Report	into equal shares for Trustor's living children.]	
	9202	· · · · · · · · · · · · · · · · · · ·	
✓	Order		
	Aff. Post		Reviewed by: LEG
			Reviewed by: £25
	Status Rpt		Reviewed On: 3/18/14
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notc		File 3C - Verni

3D In the Matter of the Verni Family Trust (Trust) Case No. 10CEPR00639 Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter Atty and Trust Beneficiary) Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son) Phillips, John, of Wild, Carter & Tipton (for Leonard "Dino" Verni, son) Atty Atty Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse) Petition to Establish Claim of Ownership, in Favor of Trust, to Property and for Order Directing its Transfer to the Trustees to Hold in Trust (Prob. C. 850, 17200.1) Leonarda DOD: NEEDS/PROBLEMS/ **CARMELA DeSANTIS**, daughter and Trust Beneficiary, is Petitioner. 7/31/2000 **COMMENTS:** Summary of Petitioner's requests for specific relief: Saverio DOD: 5/25/2009 Determining that the following is property of the Trust estate: Continued from (a) Almond crops: (i) The almond meat inventory on hand at the date of 1/27/2014. Minute Saverio's death; (ii) all almond crops grown on Trust land since Saverio's Order states Order Cont. from 100212, death; and (iii) proceeds from the sale of the almond inventory and 120512, 010313, Appointing Court 022113, 032213, Approved (b) Olive crops: (i) The olive oil, olive crop and olive inventory on hand at 062113, 062813, 083013, 092713, the date of Saverio's death; (ii) all olive crops grown on Trust land since Reporter Pro 103013, 120613, Saverio's death; and (iii) proceeds from the sale of the olive oil, 012714 Tempore is signed inventory and crops; Aff.Sub.W (c) Other crops (Stone Fruit, Grapes, Etc.): (i) The inventory of other crop by the Court. grown on Trust land, on hand at the time of Saverio's death but not Verified reported in the Trustee's First Account; (ii) all such crops grown on Trust **Note:** Additional

Reporter as Official Inventory land since Saverio's death and during 2009; and (iii) proceeds from the notes pages **PTC** sale of the inventory and crops; originally prepared (d) Other Inventory on Hand: (i) The inventory of firewood and olive oil on Not.Cred. with respect to this hand at the time of Saverio's death but not reported in the Trustee's First Notice of petition have Account; (ii) all such items produced from products grown on Trust land Hrg been omitted. since Saverio's death and during 2009; [and (iii) proceeds from the sale Aff.Mail of the other inventory; Aff.Pub. (e) **Proceeds from Sale of Trust Real Property:** The money received by Nick Sp.Ntc. and Dino from DeYoung Properties in connection with the option to purchase land and used by DeYoung Properties to actually purchase Pers.Serv. Trust land which sum is believed to be not less than \$1,000,000.00; Conf. 2. Directing each of the beneficiaries in possession or holding the property to Screen transfer such property to the Trustees to hold for the benefit of the Trust and Letters the appropriate Sub-Trust(s); **Duties/S** Directing each of the beneficiaries in possession or holding any proceeds Objection from the sale or exchange of any of the property to transfer such proceeds to the Trustees to hold for the benefit of the Trust and the appropriate Sub-Video Trust(s); Receipt For judgment in favor of the Trustees of the Trust against any beneficiary who **CI Report** received the Trust property and proceeds, in an amount to be determined 9202 and as required to compensate for all of the detriment and damages Order cause to the Trust; and Reviewed by: LEG Aff. Post 5. For treble damages pursuant to Probate Code § 859. Status Rpt Reviewed on: 3/18/14

Updates:

Recommendation:

File 3D - Verni

UCCJEA

Citation

FTB Notice

- 3E In the Matter of the Verni Family Trust (Trust) Case No. 10CEPR00639

 Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)

 Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees
 - Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)
 Phillips, John, of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)

Atty

Atty Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Petition for Review of Accounts and Acts of Trustees [Prob. C. 16063(a)(5); 17200(b)(5)]

ı		lew of Accounts and Acis of Hostees [Flob. C. 16065(a)(5	
	narda DOD: 7/31/200	CARMELA DeSANTIS, daughter and Trust Beneficiary, is	NEEDS/PROBLEMS/COMMENTS:
Sav	rerio DOD: 5/25/2009	Petitioner.	Continued from 1/27/2014.
		Summary of Petitioner's requests in the Prayer for	Minute Order states Order
Co	ont. from 120613,	Relief:	Appointing Court Approved
012	2714	That each of the Second, Third, and Fourth That each of the Second, Third, and Fourth	Reporter as Official Reporter Pro
	Aff.Sub.Wit.	Accounts Current submitted to Petitioner by the	Tempore is signed by the Court.
	Verified	Co-Trustees be disallowed;	, ,
✓	Verified	That the Co-Trustees, and each of them, be	Note: Detitioner's prayer
	Inventory	ordered to compensate the estate for any loss	Note: Petitioner's prayer
	PTC	caused by their acts and omissions;	requests the Court disallow the accounts. Petitioner
	Not.Cred.	That the Trustees be directed to prepare and file a	requests in the body of the
	Notice of Hrg	=	Petition that the Court
		proceedings within such time as may be allowed	review the Second, Third
	Aff.Mail	by this Court; and	and Fourth Accounts, but
	Aff.Pub.	That Petitioner be reimbursed attorney's fees and	because the subject
	Sp.Ntc.	costs.	accounts have not been
	Pers.Serv.]	filed with the Court by the
	Conf. Screen	Petitioner states the following in support of the requests for relief:	Co-Trustees as the
	Letters	i for feller.	fiduciaries, the accounts
	Duties/Supp	Accounts Provided by the Trustees	have not been reviewed by
	Objections	On or about 8/26/2010, the Co-Trustees, Rosa and	the Court.
	Video	Nick Verni, filed a First Account Current and Report	
	Receipt	of Trustees and Petition for its Settlement;	
	CI Report	On 10/5/2010, Petitioner filed written objections to	
		the First Account Current based on, among other	
	9202	things, the limited scope of the Account, the	
	Order 2	irosices failore to reflact separate accountings for	
	Aff. Posting	each Sub-Trust, the failure to provide information	Reviewed by: LEG
	Status Rpt	pertaining to transactions involving the Trustees, as	Reviewed on: 3/18/14
	UCCJEA	well as with respect to various farming operations	Updates:
	Citation	being managed by the Trustees on behalf of the	Recommendation:
	FTB Notice	Trust;	File 3E – Verni
		At Petitioner's request, the Trustees provided Patition and the Provided Patition and the Provided Patition and the Provided Advanced Community Patition and the Provided Community Patitio	
		Petitioner with a Second Account Current,	
		covering the period of 1/1/2010 through	
		12/31/2010;	
1		~Please see additional page~	

First Additional Page 1E, Matter of the Verni Family Trust Case No. 10CEPR00639

Petitioner states, continued:

- On 7/26/2012, Petition filed written Objections to Second Account Current, and attached a copy of the Second Account Current (copy of the Objections to Second Account Current filed by Petitioner on 7/26/2012 attached as Exhibit B);
- The Second Account Current continued to be deficient in the same respects as noted with respect to the First Account Current, among others;
- In spite of Petitioner's repeated objections, the Trustees continue to fail to properly account to Petitioner and other beneficiaries, as required by the terms of the Trust and Probate Code § 16062 et seq., in the Third Account Current, covering the period of 1/1/2011 through 12/31/2011, mailed to Petitioner at her request on or about 11/19/2012, and the Fourth Account Current covering the period of 1/1/2012 through 12/31/2012, mailed to Petitioner at her request on or about 4/19/2013;
- The manner in which such Accounts are deficient is further described in Petitioner's Objections to Third Account Current, attached as Exhibit C, and Petitioner's Objections to Fourth Account Current attached as Exhibit D;
- Article 11, Section 4 of the Trust requires the Trustees to render an accounting upon written request of any beneficiary;
- To date, the Trustees have failed to provide adequate accounts in response to Petitioner's requests pursuant to
 this provision, thereby necessitating this request that the Court review the Second, Third and Fourth Accounts
 Current and the acts of the Trustees.

Response to Petition for Review of Accounts and Acts of Trustees filed on 12/5/2013 by Trustees Nick Verni and Rosa Verni states:

- Trustees admit that they filed the First Account Current and Report of Trustees and Petition for Settlement on 8/26/2010; Trustees further admit that Petitioner filed written objections to the First Account Current on 10/5/2010; however, Trustees deny that any deficiencies exist, legal or otherwise, in the First Account Current;
- Trustees admit that they submitted the Second Account Current to Petitioner; Trustees further admit that Petitioner filed written objections to the Second account current on 7/26/2012; however, Trustees deny that any deficiencies exist, legal or otherwise, in the Second Account Current;
- Trustees admit that they submitted the Third Account Current to Petitioner on or about 11/19/2012; Trustees
 further admit that they submitted the Fourth Account Current to Petitioner on or about 4/19/2013; however,
 Trustees deny that any deficiencies exist, legal or otherwise, in the Third Account Current and Fourth Account
 Current;
- The Trustees have filed a full account of their acts and proceedings during the period embraced thereby, and their Report and Account should be allowed and approved;
- Trustees expressly deny that any of the Second, Third and Fourth Accounts Current are deficient or otherwise fail to comply with the Trust or the requirements set forth in the Probate Code;

Trustees pray for an Order of this Court finding that:

- 1. The objections of Petitioner be dismissed;
- 2. All acts and transactions of the Trustees as reflected in the Account and Report be ratified and confirmed;
- 3. The Trustees be authorized and directed to continue the administration of the Sub-Trusts until such time as the remaining tasks discussed herein are accomplished, the remaining legal actions discussed herein are resolved, and a plan of final distribution can be presented to the beneficiaries of the trust for their consent;
- 4. Petitioner take nothing by way of her Petition; and
- 5. Attorney's fees and costs of suit are awarded to Respondents.

4 Barnett Seymour Salzman (CONS/PE)

Case No. 12CEPR00588

Atty Wright, Janet L. (for Conservatee Barnett Seymour Salzman)

Atty Motsenbocker, G.L. (for Vance Severin and Terri Severin – Temporary Conservators)

Status Hearing Re: Filing of First Account

Ag	e: 74	TEMP (ESTATE ONLY) EXPIRES 5-12-14	NEEDS/PROBLEMS/COMMENTS:
DC)B: 2-15-39		Note: The lead of the decision
		VANCE SEVERIN and TERRI SEVERIN, Brother and	Note: The last status report of the temp conservators was filed 10-2-13. That
		Sister of Mr. Salzman's wife, Stacy Salzman, were	report indicated that an offer was
Со	ont. from 032913,	 appointed as Temporary Co-Conservators of the Person and Estate without bond (bond 	pending at a price far below the
	2613, 061413,	upon permanent appointment) on 9-25-12.	anticipated price, and also indicated that
100	0413		a mechanic's lien had been filed; however, the contractor was "a
	Aff.Sub.Wit.	At a hearing on 11-5-12, the Court set this status	complete and total fraud" (no license).
	Verified	hearing for the filing of the first account.	Thereafter, the temp conservators had
	Inventory	On 10 10 10 The Temperature Co. Company orders	filed a complaint with the Fresno County District Attorney and requested an
	PTC	On 12-10-12, The Temporary Co-Conservators were authorized to sell the Conservatee's real	additional 90 days to sell the house.
	Not.Cred.	property, with proceeds to be deposited into a	However, an accounting is due
	Notice of Hrg	blocked account.	regardless of the status of the sale. Probate Code §§ 2255, 2256, 2257, 2620.
	Aff.Mail		1100die Code 99 2233, 2230, 2237, 2020.
	Aff.Pub.	At hearing on 1-7-13, the petition for	1. Need account or current written
	Sp.Ntc.	conservatorship of the <u>person</u> was withdrawn, and the conservatorship of the <u>estate</u> was	status report pursuant to Local Rule 7.5 which states in all
	Pers.Serv.	extended to 3-29-13, but limited to the sale of	matters set for status hearing
	Conf. Screen	the property and negotiate and settle with the	verified status reports must be
	Letters	Conservatee's creditors, including California	filed no later than 10 days before the hearing. Status Reports must
	Duties/Supp	Franchise Tax Board and IRS.	comply with the applicable code
	Objections	At various hearings, the temporary	requirements. Notice of the status
	Video	conservatorship of the estate was extended. At	hearing, together with a copy of
	Receipt	a status hearing on 1-10-14, the temporary was	the Status Report shall be served on all necessary parties.
	CI Report	extended to 5-12-14.	on an necessary parnes.
	9202		
	Order	Minute Order 1-10-14: The Court is advised that	
	Aff. Posting	there is a mechanic's lien and things are not going well. Matter is continued to	Reviewed by: skc
	Status Rpt	5-12-14. The temporary is extended to	Reviewed on: 3-17-14
	UCCJEA	= 5-12-14.	Updates:
	Citation	_	Recommendation:
	FTB Notice	Note: The Public Guardian's First and Final	File 7B - Salzman
		Account was settled on 1-29-14.	

Sullivan, Robert L. (for Monique M. Hutchings – Administrator with Will Annexed)

Probate Status Hearing Re: Failure to File a Final Account or Petition for Final Distribution

	EDWARD I MAVEDO ID	
DOD: 04/05/03	EDWARD L. MYERS, JR. and MONIQUE M. HUTCHINGS, were appointed as Co-Administrator's with Will	NEEDS/PROBLEMS/COMMENTS:
	Annexed on 08/19/03.	CONTINUED FROM 09/20/13
		COMMUNICATION OF LOW OF
	Letters of Administration with Will Annexed were issued	
Cont. from 071913,	on 08/19/13.	1. Need Final Accounting
092013	Inventory & Appraisal, partial No. 1 filed 04/08/04 -	and/or Petition for Final
Aff.Sub.Wit.	\$707,312.97	Distribution.
Verified		
Inventory	Inventory & Appraisal, final filed 04/21/04 -	
PTC	\$16,968.64	
Not.Cred.	Inventory & Appraisal, partial No. 1 corrected filed	
Notice of Hrg	11/10/04 - \$877,312.97	
Aff.Mail	Polition for Proliminant Distribution and Statutor 5	
Aff.Pub.	Petition for Preliminary Distribution and Statutory Fees filed 03/16/05 was granted on 06/02/05.	
Sp.Ntc.	11100 00, 10,00 Was grained on 00,02,00.	
Pers.Serv.	Ex Parte Petition for Amended Letters granted 05/30/13	
Conf. Screen	ordered that Monique M. Hutchings is the sole	
Letters	Administrator following the death of Edward L. Myers, Jr. and set this matter for status.	
Duties/Supp	of, and set mis maner for states.	
Objections	Amended Letters of Administration with Will Annexed	
Video Receipt	were issued on 06/05/13.	
CI Report	Status Report filed 03/14/14 states: most of the property	
9202	was distributed to the beneficiaries in a preliminary	
Order	distribution by order of this Court on 06/02/05. The	
Aff. Posting	estate contains a bank account with a balance of	Reviewed by: JF
Status Rpt	\$152,980.00 at this time. The Court also allowed the Co-Administrators to form an LLC to hold the	Reviewed by: 31 Reviewed on: 03/19/14
UCCJEA	remaining assets of the estate, namely, four parcels of	Updates:
Citation	environmentally contaminated real property.	Recommendation:
FTB Notice	Pursuant to the Court's order, the Elm & Church, LLC	File 5 – Myers
TID ROILGE	was formed and currently holds a bank account with a balance of \$50,000.00 as well as the four parcels of real property. At the time of decedent's death, an	THE O MIYELS
	environmental contamination problem related to	
	previously installed underground fuel storage tanks	
	had been discovered and was in the process of being	
	analyzed and remediated by the Decedent utilizing Krazan & Associates ("Krazan"). Krazan determined	
	the existence of contamination from the underground	
	fuel storage tanks and enrolled the property in the	
	State of California Environmental Cleanup Fund,	
	which reimburses property owners for expenses incurred in the identification, analysis and remediation	
	or underground storage tank contamination.	
	Remediation efforts on the property has been	
	ongoing.	
	Continued on Page 2	

5 Edward L. Myers (Estate)

Case No. 03CEPR00979

Page 2

Status Report filed 03/14/14 (con't): During the administration of the estate, Krazan determined the nature and extent of the environmental contamination and commenced procedures for the remediation of the contamination discovered. All expenses incurred by the estate in connection with the valuation and remediation of the contamination have been reimbursed by the State of California.

As reported in the Petition for Preliminary Distribution filed 03/16/05, the estate's membership interest in the LLC would continue to be held in the estate pending final resolution of the environmental concerns, since distribution of the LLC membership interest to the beneficiaries could expose the beneficiaries to the potential for individual liability, or actual individual liability. In her last status report, the Administrator reported that she thought the remediation could be completed within 3 to 4 months. However, the California Regional Water Quality Control Board – Central Valley Region ("RWQCB"), after inspection of the Property, refused to qualify the case for closure and did not provide a closing letter. The RWQCB instead requested further remediation as well as a study to determine whether current concentrations of petroleum hydrocarbon constituents ("PHCs") on the property pose a threat to human health. The Administrator asked Krazan to provide remediation proposal to the RWQCB, which it did on 02/28/14. The RWQCB reviewed Krazan's proposal, and issued a letter dated 03/11/14, approving the proposal and requiring that a final report issue from Krazan to the RWQCB by 04/07/14. Therefore, the Administrator requests that a status hearing be set at least 3 months from this date in order to provide Krazan with adequate time to complete the remediation of the property and receive a closing letter from the RWQCB.

Franco, Paul C. (for Deborah Kamine – Executor)
Status Hearing Re: Filing of Petition for Distribution

DOD: 01/17/11	DEBORAH KAMINE , daughter, was	NEEDS/PROBLEMS/COMMENTS:
	appointed Executor with full IAEA authority	
	and without bond on 05/12/11. Letter	CONTINUED FROM 01/24/14
	Testamentary were issued on 05/12/11.	Minute Order from 01/24/14 states: No
Cont. from 012414	Inventory & Appraisal, final, filed 10/11/13 -	appearances. Matter continued to 03/21/14. The Court orders Paul Franco
Aff.Sub.Wit.	\$198,712.13	to be personally present on 03/21/14.
Verified	Adian to Ouder from start a les enforces es	1 Need Assessment/Department
Inventory	Minute Order from status hearing on	Need Account/Report of Executor on Waiver of Account
PTC	10/25/13 set this matter for status regarding filing the Account/Report of Executor on	and Petition for Distribution or
Not.Cred.	Waiver of Account and Petition for	verified status report.
Notice of	Distribution.	
Hrg		
Aff.Mail	Clerk's Certificate of Mailing filed 01/30/14	
Aff.Pub.	states that a copy of the minute order from 01/24/14 was mailed to Paul Franco on	
Sp.Ntc.	01/24/14 was mailed to Faul Harico on 01/30/14.	
Pers.Serv.	, , , , ,	
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: JF
Status Rpt		Reviewed on: 01/21/14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 6 – Blankenship

Analilia Anguiano (Estate)

Kruthers, Heather H. (for Public Administrator – Successor Administrator)

Probate Status Hearing

DOD): 5-9-11	MAGDALENA MANCILLA was appointed Administrator	NEEDS/PROBLEMS/
		with Full IAEA without bond on 11-29-11.	COMMENTS:
Con 0117	t. from 041213,	The Administrator failed to appear for two status hearings on 1-24-13 and 2-22-13, and on 2-22-13, Ms. Mancilla was removed and the FRESNO COUNTY PUBLIC ADMINISTRATOR was appointed as Successor	Need amended Inventory and Appraisal pursuant to Probate Code §8900 et seq.
	Aff.Sub.Wit.	Administrator with full IAEA. Letters issued on 3-6-13.	-
	Verified	At hearing on 2-22-13, the Court set this hearing for status.	Need petition for final distribution pursuant to
	Inventory PTC	Status Report filed 4-9-13 states the real property in	Probate Code §12200.
	Not.Cred.	Sanger is in foreclosure because there were no estate	Note: Inventory and
	Notice of Hrg	assets to pay the mortgage. There is the possibility of	Appraisal filed 11-1-11 by
	Aff.Mail	money coming into the estate from a civil lawsuit,	the former Administrator
	Aff.Pub.	Analilia Anguiano v. Suzette Ihara (Fresno Superior Court Case Number 11CECG01428). It is a physical	indicated a total estate value of \$140,000.00, which
	Sp.Ntc.	injury/property damage lawsuit. On 3-19-13, a stipulation	consisted of real property
	Pers.Serv.	and order was filed in the civil matter to continue the trial	valued at \$65,000.00 and a
	Conf. Screen	to 4-21-2014, with mandatory settlement conference set for 3-26-14 and trial readiness hearing on 4-18-14.	pending personal injury lawsuit valued at
	Letters	Therefore, the possibility of any funds coming into the	\$75,000.00. <u>However</u> , the
	Duties/Supp	estate soon is improbable.	value of the pending
	Objections	Dublic Administrator states the estate is not in a position	lawsuit was provided by the
	Video	Public Administrator states the estate is not in a position to be settled and requests that further stats hearing be	Administrator rather than the Probate Referee.
	Receipt	set at least nine (9) months from the date of this hearing.	mo riosaio kolerce.
	CI Report		Note: The decedent left a
	9202 Ordor	Status Report filed 1-17-14 states the real property remains in the foreclosure process. As previously	spouse and five adult children, including the
	Order	reported, there remains the possibility of money coming into the estate from a civil lawsuit. Settlement conference has been set for 3-26-14 and trial readiness for 4-18-14. The possibility of any funds coming into the estate until after the trial on 4-21-14 is improbably Public Administrator requests the next status hearing be set at least nine months from today's hearing date.	former Administrator, Ms. Mancilla. Ms. Mancilla's original petition listed all relatives at the same address (the decedent's former residence), and all notices were sent to this address.
	Aff. Posting	Status Report filed 3-12-14 states the Public Administrator	Reviewed by: skc
~	Status Rpt	previously requested continuance of seven months due	Reviewed on: 3-17-14
	UCCJEA	to the pending civil litigation. The Court instead set status for two months later. At this time, the Public Administrator	Updates:
	Citation	is advised that a settlement has been reached but there	Recommendation:
	FTB Notice	cannot be a signed agreement until they have a final Medi-Cal statement. They expect that within 30 days. Public Administrator requests that the next status hearing not be set before June 6, 2014.	File 7 - Anguiano

8

Neilson, Bruce A., and Ivy, Scott J. (of Lang Richert & Patch, for Janette Courtney, Executor)

Status Hearing Re: Filing of the Inventory and Appraisal; Filing of First Account and/or Petition for Final Distribution

DO	D: 6-9-11	JANETTE COURTNEY, was appointed Executor with Full IAEA	NEEDS/PROBLEMS/COMMENTS:
		without bond and Letters issued on 9-15-11.	Minute Order 4-8-13: Mr. Keeler
		Inventory and Appraisal Partial No. 1 filed 2-13-13 included	and Mr. Ivy are appearing via
-		commercial real property valued at \$250,000.00, which	conference call. Mr. Ivy is directed
_		was sold pursuant to Order Confirming Sale of Real	to file a fully executed agreement with the court. Matter is set for
	nt. from 040813,	Property.	Status Hearing on 5/24/13
	813, 072613,	At hearing on 2-25-13, the Court set status hearing for 4-8-	regarding the settlement
100	413, 011714	13 for the filing of the Final Inventory and Appraisal, filing of	agreement and the dismissal. If
	Aff.Sub.Wit.	the first account, and/or petition for final distribution.	the agreement and dismissal are filed by 5/24/13, no appearance
	Verified	The status hearing for filing of the final Inventory and	will be necessary. The status
	Inventory	Appraisal has been continued to 6-28-13 and now 7-26-13.	hearing regarding the inventory and appraisal is continued to
	PTC		6/28/13 for appearance by Mr.
		Status Report filed 7-19-13 states:	Neilson only. Set on 5/24/13 @ 9:00
	Not.Cred.	Petitioner has performed all required duties as personal representative	a.m. Dept. 303 for: Status Hearing Re: Settlement Agreement and
	Notice of Hrg	All known debts have been paid except for mortgage	Dismissal
	Aff.Mail	on real property which has a market value below the	
	Aff.Pub.	mortgage amount • All administration costs to date except for	Note: Full and Complete Settlement Agreement and
	Sp.Ntc.	compensation to the personal representative and	Mutual Release of All Claims filed
	Pers.Serv.	attorney have been paid	4-11-13, and dismissal of petition filed by Dennis L. Thomas on 12-19-
	Conf. Screen	 The estate is solvent A creditor's claim filed by Steven Drummond has been 	11 was entered on 5-1-13.
	Letters	rejected	As of 3-17-14, nothing further has
	Duties/Supp	There is currently no pending litigation involving the estate; however, there is a potential claim against	been filed. The following issues
	Objections	beneficiaries for recovery of a vehicle and	<u>remain</u> :
	Video Receipt	reimbursement for sales tax paid The status of a business being operated by a	1. Need Final I&A.
	CI Report	beneficiary, and the estate's current interest therein,	Need First Account or Petition
	9202	has yet to be determined/negotiated.	for Final Distribution pursuant
	Order	It is estimated that an additional three (3) months will be needed to complete administration of the estate,	to Probate Code §12200.
	Aff. Posting	unless litigation is needed to recover the vehicle.	Reviewed by: skc
~	Status Rpt	Petitioner requests authority to continue administration until 10-1-13.	Reviewed on: 3-17-14
	UCCJEA		Updates:
	Citation	Status Report filed 10/03/13 states: Since the prior status hearing the executor has been able to locate the	Recommendation:
	FTB Notice	Chevrolet Suburban, however it is damaged and towing	File 8 - Drummond
		and storage may be equal or more than the value. A	
		compromise with the storage facility is being negotiated.	
		Additionally, no paperwork has been located regarding the horse that a beneficiary claims belonged to the	
		decedent and for which he is making a claim for care and	
		feeding. The estate has rejected the claim. As to the real	
		property in Mariposa, CA, it was thought that the bank was	
		foreclosing on the property, but they have not. Time is	
		requested to appraise and inventory this property and the	
		Suburban as well as resolve the disposition of the horse.	

Atty Hemb, Richard E., of Hemb Law Office (for Michele R. Curley, Administrator)

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 9/7/2012	MICHELE R. CURLEY, Daughter, was appointed Administrator with Full IAEA with bond of	NEEDS/PROBLEMS/COMMENTS:
	\$30,000.00 on 11/7/2012.	Continued from 1/17/2014. The following issue from the last
Cont. from 011014, 011714	Minute Order dated 11/8/2013 from the Status Hearing Re: Increase in Bond Based on the Value of the Estate as Shown on the Inventory and	hearing remains: 1. Need first account and/or
Aff.Sub.Wit.	Appraisal continued the status hearing to	petition for final distribution, or verified status report and
Verified Inventory	1/17/2014 for filing of an ex parte petition to increase the bond.	proof of service of notice of
Bond	Ex Parte Application for Order to Increase Bond	the status hearing pursuant to Local Rule 7.5(B).
Not.Cred. Notice of Hrg	was filed 12/5/2013.	
Aff.Mail	Order to Increase Bond filed 12/5/2013 grants the Administrator's exparte application to increase	
Aff.Pub.	bond, finding bond be increased to \$44,000.00.	
Pers.Serv.	Proof of Bond filed 1/14/2014 shows bond of	
Conf. Screen Letters	\$14,000.00 was posted. Based on 1/22/2013 bond posted of \$ 30,000.00 total bond is currently	
Duties/Supp	\$44,000.00.	
Objections Video Receipt		
CI Report		
9202 Order		
Aff. Posting		Reviewed by: LEG
Status Rpt X UCCJEA		Reviewed on: 3/18/14 Updates:
Citation		Recommendation:
FTB Notice		File 9 – Martinez

Hemb, Richard E. (for

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

T	Status Hearing Re: Filing of the First Account ana/or Petition for Final Distribution		
Age:		NEEDS/PROBLEMS/COMMENTS:	
DOD:			
		OFF CALENDAR	
		Final Inventory & Appraisal filed	
Cont. from		10/31/13	
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of			
Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf.			
Screen			
Letters			
Duties/Supp			
Objections			
Video			
Receipt			
CI Report			
9202			
Order			
Aff. Posting		Reviewed by: JF	
Status Rpt		Reviewed on: 03/19/14	
UCCJEA		Updates:	
Citation		Recommendation:	
FTB Notice		File 10 - Myers	

Wright, Robert S. (for Rosario R. Forestiere – Administrator)

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 9-21-12		ROSARIO R. FORESTIERE, Spouse, was		EDS/PROBLEMS/COMMENTS:
20011 12		appointed as Administrator with		,
		Limited IAEA without bond on 1-3-13	1.	Petitioner states the estate is not in a
		and Letters issued on 1-7-13.		condition to be closed at this time
				because a will has been discovered and a
		At hearing on 1-3-13, the Court set this		Petition for Probate of Will is in process. In
Aff.Sub.Wit.		status hearing for the filing of the first		addition, escrow on the sale of the
Verified		account or petition for final distribution.		residence has not yet closed. The Court
Inventory				may require additional information as to
PTC		Status Report filed 3-11-14 by Attorney		the anticipated time frame for close of
Not.Cred.		Wright states that a will has now been discovered and a Petition for Probate		escrow, filing the petition for probate of will, and then closing the estate.
Notice of Hrg		of Will is in process. The assets of the		and men closing me esiale.
Aff.Mail	l l	estate include the decedent's home,	2.	The Administrator was previously
Aff.Pub.	1	personal vehicle, and personal effects.	_•	appointed with Limited IAEA without bond.
-	1	On 12-31-13, the Court approved the		At this time, since the residence has sold
Sp.Ntc.		sale of the residence and it is currently		for a purchase price of \$175,000.00, the
Pers.Serv.		in escrow. The estate is not in a		Court may require bond or blocked
Conf. Screen		condition to be closed until the will has		account going forward.
Letters		been admitted and escrow has		
Duties/Supp		closed.		
Objections				
Video				
Receipt				
CI Report				
9202				
Order				
Aff. Posting			Re	viewed by: skc
Status Rpt			Re	viewed on: 3-18-14
UCCJEA			Up	odates:
Citation			Re	commendation:
FTB Notice			File	e 11 – Forestiere

Wilson, Joshua G., of Darling & Wilson, Bakersfield (for Petitioner David J. Agee, Executor)

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: / /E/2012	NIEEDS /DDODI EAAS /COAAAAENITS.
DOD: 6/5/2012	NEEDS/PROBLEMS/COMMENTS:
	OFF CALENDAR
	OFF CALENDAR
	5
Cont. from	Petition for Settlement of First and
Aff.Sub.Wit.	Final Account and for Final Distribution, etc., was filed
Verified	3/10/2014, and is set for hearing on
Inventory	4/21/2014.
PTC	, ,=
Not.Cred.	
Notice of Hrg	
Aff.Mail	
Aff.Pub.	
Sp.Ntc.	
Pers.Serv.	
Conf. Screen	
Letters	
Duties/Supp	
Objections	
Video	
Receipt	
CI Report	
9202	
Order	
Aff. Posting	Reviewed by: LEG
Status Rpt	Reviewed on: 3/18/14
UCCJEA	Updates:
Citation	Recommendation:
FTB Notice	File 12 - Agee

Whelan, Brian D., of Whelan Law Group (for Ian Kinsey, as Conservator of the Estate) Flanigan, Philip M., sole practitioner (for Ian Kinsey, as Conservator of the Person)

Status Hearing Re: Filing of Increased Bond; and Filing of the First Account

Ag	e: 20 years		I
			(
			١
Со	nt. from		I
	Aff.Sub.Wit.		•
	Verified		(
✓	Inventory		į
	Increased	Χ	ı
	Bond		f
	Accounting	Χ	(
	Notice of Hrg	Χ	4
	Aff.Mail	Χ	
	Aff.Pub.		I
	Sp.Ntc.	Χ	1
	Pers.Serv.		 `
	Conf. Screen		I
	Letters		•
	Duties/Supp		1
	Objections		ŀ
	Video		
	Receipt		ı
	CI Report		1
	9202		(
	Order		
	Aff. Posting		
	Status Rpt	Χ	
	UCCJEA		
	Citation		
	FTB Notice		

IAN KINSEY, brother, was appointed Conservator of the <u>Estate</u> on 1/29/2013 with bond set at \$15,000.00.

IAN KINSEY, brother, was appointed Conservator of the <u>Person</u> on 9/17/2013 (Letters of Conservatorship of the Person issued on 9/25/2013.)

Proof of Bond in the sum of \$15,000.00 was filed 2/6/2013, and Letters of Conservatorship of the Estate issued on 2/28/2013.

Final Inventory and Appraisal filed 5/2/2013 shows an estate consisting of all cash in the sum of \$250,000.00.

Pursuant to Probate Code § 2620(a), first account was due on 2/28/2014.

Minute Order dated 1/29/2013 from the hearing on the petition for appointment of Conservator of the Estate set the matter for Status Hearing on 3/21/2014 for filing of the first account of the conservatorship.

NEEDS/PROBLEMS/COMMENTS:

1. Proof of Bond of \$15,000.00 filed on 2/6/2013 is **insufficient** for this Conservatorship Estate, as required under Probate Code § § 2320 and CA Rule of Court 7.207. Probate Code § 2320.1 provides that when the Conservator has knowledge of facts from which the Conservator knows or should know that the bond posted is less than the amount required under section 2320, the Conservator **and** the Attorney shall make an ex parte application for an order increasing the bond to the amount required under section 2320. Accordingly, Probate Code § 2320 requires that the Conservator file proof of additional bond in the sum of **\$260,000.00**, in order to bring total bond to \$275,000.00, the bond amount sufficient pursuant to Probate Code § 2320 and CA Rule of Court 7.207. It is noted that the Minute Order dated 9/17/2013 from the Status Hearing Re: Increase of Bond that Mr. Flanigan informed the Court that Mr. [Ian] Kinsey will not be able to get a bond. However, the duty remains upon Attorney Philip Flanigan and/or Attorney Brian Whelan as well as the Conservator to either comply with Probate Code § 2320.1 for increase in bond, or to request an alternative protection such as placing Conservatee's funds into a blocked account.

~Please see additional page~

Reviewed by: LEG
Reviewed on: 3/19/14
Updates:
Recommendation:
File 13 – Kinsey

NEEDS/PROBLEMS/COMMENTS, continued:

- 2. Pursuant to Probate Code § 2328, Conservator should be required to deposit the entirety of Conservatorship estate funds, or a portion of the funds taking into account the \$15,000.00 posted bond, into a blocked account for the Conservatorship Estate, with no withdrawals except upon Court order. Probate Code § 2328 provides, in pertinent part, that if the Conservatorship Estate has property which has been deposited with a financial institution, the Court may order that the property shall not be withdrawn except on authorization of the Court, and may either (1) exclude the property deposited in determining the amount of required bond or reduce the amount of the bond to be required with respect to the property deposited to such an amount as the Court determines is reasonable; or (2) If a bond has already been furnished or fixed, reduce the amount of bond to such an amount as the Court determines is reasonable.
- 3. Attorney **PAUL PIMENTEL** formerly represented the Conservator Ian Kinsey for the petition for appointment of Conservator of the Estate. Mr. Pimentel no longer represents Ian Kinsey, per *Substitution of Attorney* filed 5/24/2013 by Attorney **BRIAN WHELAN**, showing that Mr. Whelan represents Ian Kinsey as Conservator of the Estate as of 5/22/2013. Attorney **PHILIP FLANIGAN** represented Ian Kinsey for the petition for appointment of Conservator of the Person, and appears to remain as attorney for Ian Kinsey as Conservator of the Person. Need clarification of the current attorney representation of the Conservator as to the Person and the Estate, based upon the statement of Attorney Flanigan at the hearing on 9/17/2013 regarding Conservator's inability to obtain bond, which appears to show Attorney Flanigan as the attorney responsible for the Conservator of the Estate obtaining bond.
- 4. Need first account of the conservatorship estate, or a verified Status Report and proof of service of notice of this Status Hearing with a copy of the Status Report to all interested parties pursuant to Local Rule 7.5(B).
- 5. Need proof of service of notice of the Status Hearing with a copy of the verified Status Report to Attorney Paul Pimentel, pursuant to the Request for Special Notice filed 1/27/2014.

Alipaz, Joshua S (for Paige McKerral-Burnett – Administrator)

Status Hearing Re: Filing of the Inventory and Appraisal

		1
DOD: 11/02/2009	PAIGE MCKERRAL-BURNETT, step-	NEEDS/PROBLEMS/COMMENTS:
	granddaughter, was appointed	
	Administrator with Will Annexed with Limited	OFF CALENDAR INVENTORY
	IAEA authority without bond.	AND APPRAISAL FILED ON
Cont. from 011714	Letters issued 08/26/2013	03/11/2014
Aff.Sub.Wit.		
Verified	Inventory and Appraisal Partial No. 1 filed	
Inventory	01/15/2014 - \$208,171.00	
PTC	Minute Order of 08/19/2013 set this status	
Not.Cred.	hearing.	
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.]	
Screen		
Letters		
Duties/Supp		
Objections		
Video]	
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: LV
Status Rpt		Reviewed on: 03/18/2014
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 14 - Gillespie

Rube, Melvin K. (for Shawn H. Smith – Administrator)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 07/10/0010	CHAMALL CAUTH	
DOD: 07/18/2010	SHAWN H. SMITH, nephew, was appointed	NEEDS/PROBLEMS/COMMENTS:
	Administrator with Full IAEA authority with	1 November of Association
	bond set at \$60,000.00.	Need Final Inventory and Appraisal or
	Latters in the d 01 /10 /001 A	current written status report pursuant
Cont. from	Letters issued 01/10/2014	to Local Rule 7.5 which states in all
Aff.Sub.Wit.	Adjusts Order of 10/01/0012 and this start in	matters set for status hearing verified
	Minute Order of 10/21/2013 set this status hearing.	status reports must be filed no later than 10 days before the hearing.
Verified	neaning.	Status Reports must comply with the
Inventory		applicable code requirements.
PTC		Notice of the status hearing, together
Not.Cred.		with a copy of the Status Report shall
Notice of		be served on all necessary parties.
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: LV
Status Rpt		Reviewed on: 03/18/2014
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 15 – Wardlaw
		1.5

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 07/13/13	PAMELA J. STRONG, spouse, was appointed	NEEDS/PROBLEMS/COMMENTS:
	as Executor with limited IAEA authority and	, . <u>.</u>
	without bond on 09/16/13. Letters	Need Final Inventory & Appraisal.
	Testamentary were issued on 09/17/13.	The Inventory & Appraisal, partial no. 1 is missing attachment 1. (No
Cont. from 021414	Minute order from 09/16/13 hearing set this	property is listed).
Aff.Sub.Wit.	matter for status regarding filing of the	
Verified	Inventory & Appraisal.	
Inventory X	Inventory & Appraisal, partial no. 1 filed	
PTC	03/14/14 - \$40,000.00	
Not.Cred.	φ ισ,σοσιοσ	
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: JF
Status Rpt		Reviewed on: 03/19/14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 16 – Strong

Kruthers, Heather H (for the Public Guardian)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 08/19/2013	PUBLIC GUARDIAN, appointed Administrator	NEEDS/PROBLEMS/COMMENTS:
	with full IAEA authority without bond.	
	Letters issued on 10/21/2013.	Need Final Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all
Cont. from	Inventory and Appraisal partial No. 1 filed	matters set for status hearing verified
Aff.Sub.Wit.	10/30/2013 - \$450,000.00	status reports must be filed no later
Verified	laventary and Apprecial sortial No. Office	than 10 days before the hearing.
Inventory	Inventory and Appraisal partial No. 2 filed 01/02/2014 - \$376,050.27	Status Reports must comply with the applicable code requirements.
PTC	9370,030.27	Notice of the status hearing, together
Not.Cred.	Minute Order of 10/17/2013 set this matter for	with a copy of the Status Report shall
Notice of	hearing.	be served on all necessary parties.
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report 9202		
9202 Order		
Aff. Posting		Reviewed by: LV
Status Rpt		Reviewed by: LV Reviewed on: 03/18/2014
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 17 – McPike
		-

1 Juventino Banda-Nieto (Estate)

Case No. 05CEPR00806

- Atty Alabart, Javier A. (for Petitioner Alfredo Banda Arriaga, father)
- Atty Fanucchi, Edward L. (for Respondent Maria Luisa Sanchez, purported spouse)
- Atty Kruthers, Heather H. (for Public Administrator, Administrator of the Estate)

Settlement Conference

DOD: 5/14/2004	ALFREDO BANDA ARRIAGA, father, filed a Petition for	NEEDS/PROBLEMS/COMMENTS:		
	Preliminary Distribution of Decedent Estate Assets on			
	10/2/2013, requesting an order for a preliminary distribution	This matter will be heard at		
	of the estate assets, representing that the Petitioner is the	10:30 a.m.		
Cont. from	sole-surviving parent of the Decedent, and the sole- surviving devisee of the Will signed by the Decedent on			
Aff.Sub.W	10/16/1997.	Notes for Background:		
		PUBLIC ADMINISTRATOR Was		
Verified	MARIA LUISA SANCHEZ, purported spouse, filed an	appointed as Special Administrator of the Decedent's estate on 8/30/2005;		
Inventory	Opposition to Alfredo Banda Arriaga's Petition for	Letters of Special Administration with		
PTC	Preliminary Distribution of Decedent Estate Assets on	Will Annexed were issued to the Public		
Not.Cred.	10/25/2013, representing that this Court ruled 6 years ago	Administrator on 9/27/2005. <i>Inventory</i>		
Notice of	that distribution of the estate is controlled by the decree of	and Appraisal was filed on 9/15/2005		
Hrg	the Mexican court finding that Ms. Sanchez is the sole heir	showing assets of the estate at that		
Aff.Mail	to the Decedent's estate, and further alleged that the	time were valued at \$203,823.43 .		
Aff.Pub.	Court should order distribution of the remaining assets of	PUBLIC ADMINISTRATOR was		
	the estate to Ms. Sanchez.	subsequently appointed Administrator		
Sp.Ntc.	=	of the Estate on 3/28/2006; Letters of		
Pers.Serv.	Minute Order dated 11/5/2013 states Mr. Fanucchi is	Administration with Will Annexed were		
Conf.	appearing via CourtCall. Stipulation and Order to use	issued to the Public Administrator on		
Screen	Certified Shorthand Reporter is signed by the Court. The Court takes the matter under submission.	3/29/2006.		
Letters	Courtakes the matter origer sopritission.	Amended First and Final Account of the		
Duties/S	Order on Arriaga's Petition for Preliminary Distribution of	Public Administrator was approved on		
Objection	Decedent's Estate's Assets filed on 1/24/2014 denies	6/25/2012 via Order After Hearing Settling Amended First and Final		
Video Rct	Arriaga's Petition and declines to distribute further assets to	Account, etc., finding that after		
CI Report	Sanchez, The Order concludes:	payment of commissions, fees and		
9202	Court has expressly found that two issues remain to be	costs in the amount of \$19,643.43, there		
	tried as to the parties' relative claims to the estate: (1)	will be \$89,703.10 to distribute upon		
Order	whether Arriaga's challenge to the orders in Sanchez'	further Court order regarding		
	favor are untimely and barred; or (2) whether	entitlement to final distribution.		
	Sanchez' challenge to the estate's distribution was			
	untimely, void and barred;			
Aff. Post	 These two issues depend on disputed issues of fact: (1) the address of Arriaga and his wife before and after 	Reviewed by: LEG		
Status Rpt	the time of the filing of the Petition for Probate; (2) the	Reviewed on: 3/18/14		
UCCJEA	Arriagas' contact, direct or indirect, with the Public	Updates:		
Citation	Administrator who provided notice of the Petition; and	Recommendation:		
FTB Notice	(3) Arriagas' knowledge of the ongoing probate.	File 1 – Banda-Nieto		
	Also to be tried is the validity of the order for			
	preliminary distribution to Sanchez, as set forth by the			
	Court in its last order dated 8/21/2013.			